IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO : 7347 of 2004

Between:

Bobbili Tilaka, W/o.K.C.Adellu,
R/o.H.No.1-2-13/E, Shanthinagar, Adilabad, District Adilabad.

..... PETITIONER

AND

1 The A.P.State Finance Corporation (Incorporated under the

State Financial Corporation Act) rep. by its Manager, Regd.
Office at D.No.5-9-194, Chirag Ali Lane, P.B.No.165, Hyderabad.
2 The A.P.State Financial Corporation Branch at Adilabad rep. by

its Branch Manager, Collectorate Road, Beside
District Court, Adilabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or orders, or direction more particularly one in the nature of writ of Mandamus:- (i) not to put the sale of petitioner's property i.e. plot No. 4 & 5 measuring 400 square yards in survey No.1 of Dasnapur Village, Adilabad Mandall and Adilabad District, without proceeding against the properties of Principal debtor, in pursuance of sale advertisement dated 13-3-2004 of the respondents, published in Eenadu Telugu daily news paper Adilabad Edition. (ii) declare the action of the respondents, without exhausting remedies of recovery against the principal borrower (debtor) and proceeding against the Petitioner (surety), as arbitrary, illegal, and not only violatrive of Article 14 of the Constitution of India, but also violative of principles of natural justice.

Counsel for the Petitioner: MR.P.VARA PRASAD RAO

Counsel for the Respondents: MR.Y.N.LOHITA

The Court made the following ORDER:

The learned counsel for the petitioner filed a letter dated, 8-04-2005, stating that the matter is settled out of Court and seeks permission of this Court to withdraw the writ petition.

Recording the submission made by the learned counsel, permission is accorded and the writ petition is dismissed as withdrawn. No order as to costs.

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20-04-2005

kdl

To

1 The Manager, A.P.State Finance Corporation (Incorporated under the State Financial Corporation Act) Regd. Office at D.No.5-9-194, Chirag Ali Lane, P.B.No.165, Hyderabad.
2 The Branch Manager, A.P.State Financial Corporation Branch at Adilabad, Collectorate Road, Beside, District Court, Adilabad.

3) 2 CD copies

4) 1 CC to MR.VARA PRASAD RAO

*Form-NIC-OGS/WP{**CPK**}*